

Docket No.  
WD2-98-120

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SETTLEMENT SYSTEMS AND METHODS WHEREIN A BUYER TAKES POSSESSION AT A RETAILER  
OF A PRODUCT PURCHASED USING A COMMUNICATION NETWORK**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on July 7, 1999 as United States Application No. or PCT International  
Application Number 09/348,566  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

**See Attached Sheet**

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

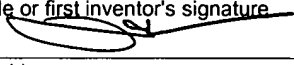
Dean Alderucci (PTO Reg. No. 40,484)

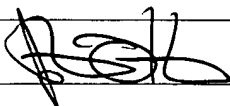
Patrick J. Buckley (PTO Reg. No. 40,928)

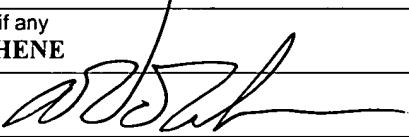
Steven M. Santisi (PTO Reg. No. 40,157)

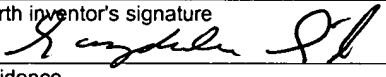
Send Correspondence to: **Dean Alderucci**  
**Walker Digital Corporation**  
**One High Ridge Park**  
**Stamford, CT 06905-1326**


Direct Telephone Calls to: *(name and telephone number)*  
**Dean Alderucci - (203) 705-3006**

Full name of sole or first inventor <b>Jay S. WALKER</b>	<b>12/July/1999</b>
Sole or first inventor's signature 	Date
Residence <b>124 Spectacle Lane, Ridgefield, CT 06877</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as above</b>	

Full name of second inventor, if any <b>Jonathan OTTO</b>	
Second inventor's signature 	<b>Aug 23, 1999</b>
Residence <b>641 Fifth Avenue, Apt. 49F, New York, NY 10022</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as above</b>	

Full name of third inventor, if any <b>Andrew S. VAN LUCHENE</b>	
Third inventor's signature 	Date <b>4 August 99</b>
Residence <b>9 Greenwood Place, Norwalk, CT 06854</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as above</b>	

Full name of fourth inventor, if any <b>Magdalena MIK</b>	<b>13-July-1999</b>
Fourth inventor's signature 	Date
Residence <b>10 South New Street, Greenwich, CT 06830</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as above</b>	

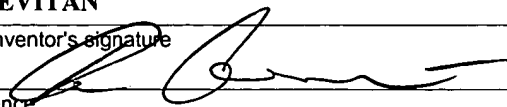
Full name of fifth inventor, if any <b>Daniel E. TEDESCO</b>	
Fifth inventor's signature 	Date <b>8/20/99</b>
Residence <b>192 Park Street, Apt. 6, New Canaan, CT 06840</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as above</b>	

Full name of sixth inventor, if any <b>Ian LEVITAN</b>	
Sixth inventor's signature	Date
Residence <b>42 Church Hill-Avenue, Westmount, Quebec, Canada H3Y 2Z9</b>	
Citizenship <b>Canada</b>	
Post Office Address <b>Same as above</b>	

Full name of third inventor, if any <b>Andrew S. VAN LUCHENE</b>	
Third inventor's signature	Date
Residence <b>9 Greenwood Place, Norwalk, CT 06854</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as above</b>	

Full name of fourth inventor, if any <b>Magdalena MIK</b>	
Fourth inventor's signature	Date
Residence <b>10 South New Street, Greenwich, CT 06830</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as above</b>	

Full name of fifth inventor, if any <b>Daniel E. TEDESCO</b>	
Fifth inventor's signature	Date
Residence <b>192 Park Street, Apt. 6, New Canaan, CT 06840</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as above</b>	

Full name of sixth inventor, if any <b>Ian LEVITAN</b>	
Sixth inventor's signature 	Date <b>Aug 2, 1999</b>
Residence <b>42 Church Hill Avenue, Westmount, Quebec, Canada H3Y 2Z9</b>	
Citizenship <b>Canada</b>	
Post Office Address <b>Same as above</b>	

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

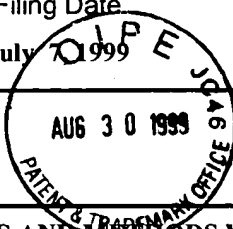
Docket No.  
WD2-98-120

Serial No.  
09/348,566

Filing Date  
July 1999

Patent No.  
Not Yet Assigned

Issue Date  
Not Yet Assigned

Applicant/ Jay S. WALKER et al.  
Patentee:

Invention: **SETTLEMENT SYSTEMS AND METHODS WHEREIN A BUYER TAKES POSSESSION AT  
A RETAILER OF A PRODUCT PURCHASED USING A COMMUNICATION NETWORK**

I hereby declare that I am:

- ☒ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: WALKER DIGITAL CORPORATION

ADDRESS OF CONCERN: One High Ridge Park, Stamford, CT 06905

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: \_\_\_\_\_

Jay S. WALKER, President, Walker Digital Corporation

TITLE OF PERSON SIGNING \_\_\_\_\_

OTHER THAN OWNER: \_\_\_\_\_

ADDRESS OF PERSON SIGNING: \_\_\_\_\_

124 Spectacle Lane, Ridgefield, Connecticut 06877

SIGNATURE: \_\_\_\_\_



DATE: \_\_\_\_\_

August 20, 1999

**Associate Power Of Attorney Or Agent (37 CFR 1.34)  
(For Representation Related To A Patent Application)**

Docket No.  
WD2-98-120

In Re Application Of: JAY S. WALKER

Serial No.  
09/348,566

Filing Date  
July 7, 1999

Examiner  
Not assigned yet

Group Art Unit  
2761

Invention: SETTLEMENT SYSTEMS AND METHODS WHEREIN A BUYER TAKES POSSESSION AT A  
RETAILER OF A PRODUCT PURCHASED USING A COMMUNICATION NETWORK

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Please recognize the following as ☒ Associate Attorney ☐ Associate Agent in this application.

Name: Kurt M. Maschoff

Reg. No.: 38,235

Address: Walker Digital Corporation  
Intellectual Property Department  
One High Ridge Park  
Stamford, CT 06905-1326

Tel. No. (203) 905-6531

  
Signature of Principal Attorney or Agent of Record

Dean Alderucci  
Attorney for Applicants  
PTO Reg. No. 40,484  
Walker Digital Corporation  
One High Ridge Park  
Stamford, CT 06905  
(203) 905-6666  
(203) 595-8266 (fax)

Registration Number & Address of Principal Attorney or Agent of Record

Dated: August 24, 1999

I certify that this document is being deposited on  
August 25, 1999 with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
Signature of Person Mailing Correspondence

Veronika S. Leliever

Typed or Printed Name of Person Mailing Correspondence



Attorney Docket No.: WD2-98-120

Applicant: Jay S. WALKER ET AL.

Title: SETTLEMENT SYSTEMS AND METHODS WHEREIN A  
BUYER TAKES POSSESSION AT A RETAILER OF A  
PRODUCT PURCHASED USING A COMMUNICATIONS  
NETWORK

	<u>Date Filed</u>	<u>Status</u>
The above mentioned application is a:		
Continuation-in-part (CIP) of prior application No.:		
09/337,906	June 22, 1999	Pending
Which is a Continuation-in-part (CIP) of prior application. No.		
08/889,503	July 8, 1997	Pending
08/889,319	And of prior application No. July 8, 1997	Pending
09/190,744	And of prior application No. November 11, 1998	Pending
Which is a Continuation-in-part (CIP) of prior application No.		
08/707,660	September 4, 1996	Patent issued - Patent No. 5,794,207
09/083,345	And of prior application No. May 22, 1998	Pending